

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

LENA MARIE LINDBERG,

Plaintiff,

v.

Case No: 6:21-cv-1746-PGB-GJK

VINCENT ALBERT CITRO; UNKNOWN
BREVARD COUNTY ANIMAL
SHELTER EMPLOYEE #1; UNKNOWN
BREVARD COUNTY ANIMAL
SHELTER EMPLOYEE #2; CARLY
CHRISTENSEN, Brevard County Sheriff
Dept. Animal Care Technician PT;
RICHARD APPLEBAUM; KIMBERLY
BARDING, Deputy Clerk Eighteenth
Judicial Circuit; C. THOMPSON, Deputy
Clerk Eighteenth Judicial Circuit; HADI
KHOURI, Bail Bondsman for Central
Florida Bonding; BRUCE BARNETT,
(Retired) Brevard County Sheriff;
JIM BLISS, Fire Marshall & Code
Enforcement; KELLI UNKNOWN
LAST NAME-PROPERTY
MANAGEMENT; LAURIE
UNKNOWN LAST NAME-
PROPERTY MANAGEMENT;
LORI FRANCIS, Phipps Court
Reporting; UNNAMED GUNMAN
HITMAN FOR HIRE; AUBREY
BARBER, Mailman; SAMUAL
EDWARDS, Public Defender
Eighteenth Judicial Circuit; PHILIP
GLEN ARCHER, States Attorney; M.
MATHERS, Brevard County Deputy
Sheriff; PATRICIA REGO
CHAPMAN, Attorney for the Indian

Harbour Police Officers; **KELLY CHASE**, Judicial Assistant for Judge David Silverman; **DAVID SILVERMAN**, Brevard County Judge; **UNNAMED "AUCTIONEER"**; **DAVID WILES**, Building Department; **CRAIG FINKLESTEIN**, Voluntary Fireman; **HAROLD UHRIG**; **ROBERT BLAISE TRETTIS**, Public Defender Eighteenth Judicial Circuit; **"GAIL" FROM THE WOMEN'S CENTER**; **JAQUELYN ARES**, Victim Advocate/Women's Center; **ROBERT DAWIDIUK**, Attorney for "Larry Bird" in the Illinois (Skokie) Court; **UNNAMED BURGLARY ACCOMPLICE #1**; **UNNAMED BURGLARY ACCOMPLICE #2**; **UNNAMED BURGLARY ACCOMPLICE #3**; **JEANNIE HOFFHINE**, Evidence Manager; **DAVID BUTLER**, Chief of Police; **CHRISTOPHER SHAW**, Police Officer; **GEORGE PENLEY**, Corporal Detective; **TUCKER MODERSON**, Police Officer; **EDWARD MELVIN FITZGERALD**, 1 of 2 Attorneys hired by Bruce Lee Assam; **BRUCE LEE ASSAM**, 57 Trust; **JINELLE GILLETTE**, Accountant for Bruce Lee Assam (Green Oak Partners); and **ERIC THOMPSON**, Police Detective,

Defendants.

REPORT AND RECOMMENDATION

THIS MATTER comes before the Court on the complaint filed on October 19, 2021, by pro se Plaintiff Lena Marie Lindberg. Doc. No. 1. On October 26, 2021, the Court entered an Order in seven other cases filed by Plaintiff finding that Plaintiff's pleadings are unintelligible and that she made inappropriate filings (the "Order"). No. 6:21-cv-1372-RBD-GJK, Doc. No. 20; 6:21-cv-1417-RBD-GJK, Doc. No. 17; 6:21-cv-1544-RBD-GJK, Doc. No. 20; 6:21-cv-1587-RBD-GJK, Doc. No. 20; 6:21-cv-1704-RBD-EJK, Doc. No. 9; 6:21-cv-1747-RBDEJK, Doc. No. 7; and 6:21-cv-1783-RBD-GJK, Doc. No. 6. The Court ordered Plaintiff's future filings to be reviewed by the senior Magistrate Judge in the Orlando Division to determine whether they have "arguable merit, that is, a material basis in law and fact and whether [they are] proper under the Federal Rules of Civil Procedure and the Local Rules." Order at 2. If the filings have "no arguable merit or [are] abusive, frivolous, scandalous, or duplicative, the Magistrate Judge should enter an order so finding, in which event the complaint, pleading, or filing will not be filed with the Court." *Id.* at 3. Such filings will be returned to Plaintiff. *Id.* "Upon a finding that a tendered complaint, pleading, or filing lacks arguable merit or is abusive, frivolous, or duplicative, Plaintiff will be subject to a monetary sanction in the amount of \$200.00 per instance and such other sanctions as the Court deems appropriate." *Id.* at 3-4. The U.S. Marshal was directed to serve a copy of the Order on Plaintiff on or before November 3, 2021, and file a return of service. *Id.* at 4.

As the Court found in the Order, the complaint in this eighth case filed by Plaintiff is unintelligible. Doc. No. 1. It violates Federal Rule of Civil Procedure 8, as it does not contain a short and plain statement that establishes a right to relief. The allegations involve a dizzying array of legal claims and defendants, not to mention being fanciful and delusional. As the complaint is patently frivolous, fails to comply with Rule 8, and has no arguable merit, it is recommended that it be dismissed with prejudice.

Based on the forgoing, it is **RECOMMENDED** that the Court **DISMISS** the complaint (Doc. No. 1) with prejudice.

NOTICE TO PARTIES

A party has fourteen days from the date the Report and Recommendation is served to serve and file written objections to the Report and Recommendation's factual findings and legal conclusions. Failure to serve written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. 11th Cir. R. 3-1.

RECOMMENDED in Orlando, Florida, on October 28, 2021.



GREGORY J. KELLY
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record

Unrepresented Parties